GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Land Acquisition – Decretal Charges – Process of Land Acquisition Cases to the Government – Supersession of orders issued in G.O.Rt.No.1142, Revenue (Land Acquisition) Department dated: 24.07.1998 - Orders – Issued.

REVENUE (LANDS.I) DEPARTMENT

G.O.RT.No. 145 Dated: 10-03-2021.
Read the following:

1.G.O.Rt.No.1142, Revenue (LA) Department dated: 24.07.1998.
2. From the Spl.CS & CCLA, A.P., Lr.No. No.LA.I/186 /2020, Dt. 26.11.2020.

>><<

ORDER:

Orders were issued in the reference 1st read above prescribing the procedure for submitting proposals for sanction of decretal charges in terms of the enhancement of market value U/s 18 and Section 55 of the Land Acquisition Act, 1894 by the Civil Court and High Court / Supreme Court of India respectively. The Land Acquisition Act, 1894 has been repealed and replacing with the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 with effect from 01.01.2014.

2. Several proposals are being received from the District Collectors for release of decretal charges in respect of the pending court cases under the Land Acquisition Act, 1894 and also LARR Act, 2013. Since the earlier instructions were issued long back when the Land Acquisition Act, 1894 was in existence. Hence the Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh examined and furnished proposal for revision of existing instructions in the present circumstances and requested the Government in the letter 2nd read above, for issue of instructions / guidelines afresh.

3. The Government examined the proposals submitted by the Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh and issue the following instructions in modification of the instructions issued in the reference 1st read above and hereby order to follow the following procedure for correspondence with the Government relating to various land acquisition cases.

a) The Collector / Special Collector shall address to the Government (where the Government is competent authority for approval) through the Administrative Department directly for the following types of cases.

   i. Approval of Draft Notification and Draft Declaration (where the Government are Competent Authority for approval).

   ii. Payment of part of enhanced compensation / decretal charges as ordered by the High Court / Supreme Court while granting stay.

(P.T.O.)

iii. All land acquisition cases involving enhancement of compensation/Decretal charges/final payments; filing of appeals; intensive follow up of court cases to protect Government interests must be reviewed in District Level Land Acquisition Monitoring Committee Constituted vide G.O.Rt.No.34, Irrigation and CAD dept., Dated.08.03.2004.

b) The correspondence pertaining to the following types of cases shall invariably be addressed to the Government in the concerned Administrative Department through the Chief Commissioner of Land Administration.

i. All the proposals relating to final payment of enhanced compensation/decretal charges/execution petitions to be addressed to the concerned Administrative which has approved Draft Notification / Draft Declaration.

ii. All the proposals relating to file of appeals against the orders of the Sub court and the High Court to be addressed the Administrative Department concerned which has approved Draft Notification / Draft Declaration.

4. The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh and all the Collectors/ Special Collectors/ Land Acquisition officers shall follow the above instructions scrupulously. The Requisition Departments are requested to observe the above guidelines and take necessary action accordingly. These instructions will coming in to effect immediately.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

V. USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To
1)All the Department of Secretariat,
2)The Special Chief Secretary & Chief Commissioner of Land Administration, Andhra Pradesh., Vijayawada.
3)All the District Collectors.
4)Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER